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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

US Patent No. 6,961,169

Conf. No.: 3748

Applicants: Shibata et al.

Appln. No. 10/823,179

Filed: April 13, 2004

Title: **LIGHT-CONTROLLED
LIGHT MODULATOR**

Group

Art Unit: 2873

Docket No.: 82696

Cust. No.: 22242



CERTIFICATE OF MAILING

I hereby certify that this paper is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop **ISSUE FEE**, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on this date.

2/22/06
Date

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SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Mail Stop **ISSUE FEE**
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This Supplemental Information Disclosure Statement is being submitted in connection with the above-identified application after the payment of the Issue Fee, in accordance with 37 C.F.R. §§1.97(i) .

The reference was cited in a communication mailed in a counterpart Japanese application after the date of issue of the above US patent. The PTO/SB/08A Substitute for Form PTO-1449 accompanies this Supplemental Information Disclosure Statement.

<u>FOREIGN PATENT DOCUMENTS</u>		
<u>Publication No.</u>	<u>Inventor(s)</u>	<u>Publication Date</u>
JP 01-217418	Masatoshi	August 31, 1989
JP 07-333660	Shigeru	December 22, 1995
JP 10-142642	Shigeru	May 29, 1998

NON-PATENT DOCUMENTS

Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.

LEUTHOLD, Juerg, BEESE, Pierre-Andre, GAMPER, Emil, Dülk, Marcus, FISHER, Stefan, GUEKOS, Georg and MELCHIOR, Hans, All-Optical Mach-Zehnder Interferometer Wavelength Converters and Switches with Integrated Data- and Control-Signal Separation Scheme, Journal of Lightwave Technology, June 1999 IEEE, Vol. 17, No. 6, pages 1056-1066.

TOPTCHYISKI, Gueorgui, RANDEL, Sebastian, PETERMANN, Klaus, DIEZ, Stefan, HILLIGER, Enno, SCHMIDT, Carsten, SCHUBERT, Colja, LUDWIG, Reinhold and WEBER, Hans G., Analysis of Switching Windows in a Gain-Transparent-SLALOM Configuration, Journal of Lightwave Technology, December 2000 IEEE, Vol. 18, No. 12, pages 2188-2195.

REMARKS

U.S. Patent No. 6,961,169 issued in the present application on November 1, 2005. References cited of this Information Disclosure Statement were first cited in a communication dated August 16, 2005, from the Japanese Patent Office in a counterpart foreign application, and their identity was not known prior to the Japanese Patent Office communication.

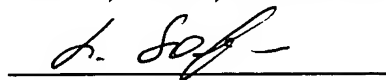
Applicants respectfully request to place a copy of the cited documents in the file.

Pursuant to 37 CFR §1.97(h), the filing of this Supplemental Information Disclosure Statement under 37 CFR §1.97(d) shall not be construed to be an admission that the information cited in the statement is, or is considered to be, material to patentability as defined in 37 CFR § 1.56(b).

The Commissioner is hereby authorized to charge any other fees which may be required in this communication under 37 C.F.R. §§1.16-1.17 to Deposit Account No. 06-1135.).

Respectfully submitted,

FITCH, EVEN, TABIN & FLANNERY



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PTO/SB/08a Substitute for Form 1449A/PTO FEB 27 2006 INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)		Application Number	10/823,179		
		Filing Date	April 13, 2004		
		First Named Inventor	Shibata et al.		
		Art Unit	2873		
		Examiner Name	William C. Choi		
Sheet	1	of	1	Attorney Docket	82696

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵				
		JP 01-217418	8/31/89	Masatoshi		
		JP 07-333660	12/22/95	Shigeru		
		JP 10-142642	5/29/98	Shigeru		

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		LEUTHOLD, Juerg, BEESE, Pierre-Andre, GAMPER, Emil, Dülk, Marcus, FISHER, Stefan, GUEKOS, Georg and MELCHIOR, Hans, All-Optical Mach-Zehnder Interferometer Wavelength Converters and Switches with Integrated Data- and Control-Signal Separation Scheme, Journal of Lightwave Technology, June 1999 IEEE, Vol. 17, No. 6, pages 1056-1066.	
		TOPTCHYISKI, Gueorgui, RANDEL, Sebastian, PETERMANN, Klaus, DIEZ, Stefan, HILLIGER, Enno, SCHMIDT, Carsten, SCHUBERT, Colja, LUDWIG, Reinhold and WEBER, Hans G., Analysis of Switching Windows in a Gain-Transparent-SLALOM Configuration, Journal of Lightwave Technology, December 2000 IEEE, Vol. 18, No. 12, pages 2188-2195.	

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² See Kind Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.